Source: City Attorney	**Date**: 10/21/2016
Common Council Item Number: ID # 16-1606	**Date:** 11/1/2016
Submitted By: Brian Running, City Attorney	**City Administrator Approval:** Kevin Lahner, City Administrator Click here to enter text.
Finance Department Review: Rich Abbott, Finance Director RA	**City Attorney's Office Review:** Brian Running, City Attorney Click here to enter text.
Subject: Settlement of excessive-assessment lawsuit brought by Glens of Waukesha.	

Details:
Glens of Waukesha, LLC, filed a lawsuit against the City, challenging the property tax assessment on their property at 2010 South East Avenue. Our liability insurance company picked up the defense for the City, and assigned the case to Jack Bruce of Schober, Schober and Mitchell. Mr. Bruce previously represented the City in the Blair House matter and is also handling a number of other tax-assessment cases for us. A proposed settlement agreement has been reached, which would make the assessment for 2015 $5,208,000, resulting in a tax refund of $13,299.07. Mr. Bruce recommends the settlement, and our assessor, Paul Klauck, has approved it. The settlement agreement was amended at my request to clarify certain terms.

Options & Alternatives:
There are only two alternatives: Either settle the case or take it to trial. A settlement on agreeable terms is always preferred to a trial. By going to trial, the parties give up control over the terms of the resolution, and spend a great deal of time and money unnecessarily.

Financial Remarks:
The settlement would result in a payment by the City of $13,299.07. The settlement only affects tax year 2015, and doesn't set any precedent for future tax years.

Staff Recommendation:
City Attorney recommends that the Council approve this settlement and asks for authorization to execute the settlement agreement on behalf of the City.

Executive Recommendation:
Click here to enter text.